Wisconsin's Admission As a State

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WISCONSIN'S ADMISSION AS A STATE

The History of the Enabling and Admission Acts in the XXIXth and XXXth Congresses.

Statesmen Whose Names Are Associated With the Times and the Stirring Political Issues Fifty Years Ago.

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I.

Political Conditions in 1846, When Morgan L. Martin, Delegate From Wisconsin Territory in the Twenty-ninth Congress, Introduced a Bill Making Preliminary Provisions for the Admission of Wisconsin—Incidents Connected With the Passage of the Enabling Act.

In the last congress (Twenty-eighth) a communication was received from the governor of Wisconsin concerning certain resolutions passed by her legislature. It was said that the United States government had given up a part of Wisconsin to the states of Illinois and Indiana, and that in forming the new state of Michigan congress had invaded the territory of Wisconsin. He gave us notice that if we did not give it back he would fight the whole of us. True, he said, it was an unequal contest, but the people of Wisconsin would appeal to the God of battles.—Hon. Samuel F. Vinton of Ohio, in the House of Representatives, June 9, 1846.

The first move towards the admission of Wisconsin into the Union was the passage by congress of an Enabling act, which authorized the people of Wisconsin territory to adopt a constitution, and form a state government preparatory to admission. This act was passed by the Twenty-ninth congress and was signed by President James K. Polk on August 6, 1846. Morgan L. Martin of Green Bay, delegate in the house from Wisconsin, introduced the Enabling bill.

Looking back over the little more than 100 years since the government of the United States was established in its present constitutional form, it will be observed that the date marked by the admission of Wisconsin to the union of states was approximately in the center of that 100-year period. It seems a long time since Wisconsin entered the Union, and few there are in the state who have a clear recollection of the scenes and incidents connected with that event. An examination of the historic records from the establishment of the national government down to the admission of Wisconsin gives one the impression that the first period in our national history was much shorter than the half century since Wisconsin became one of the union of states.

Those were eventful years from the date of the inauguration of George Washington as the first president, down through the period of the war with Great Britain in 1812 to the Mexican war period of 1846. The people of the country were then busily engaged in their struggles to establish homes on the already receding frontier; they were contesting in the arenas of politics over questions relating to internal improvements in the new country; over the tariff and monetary questions, and problems relating to slavery; the acquisition of new territory, the admission of states and other questions involved in the politics of the new nation. So the republic was indeed young when Wisconsin became an integral part of it. Events seem to have moved with greater rapidity in those old days when questions of great moment were more frequently discussed. Perhaps the seeming shortness of the time is due to the fact that, in looking back over those years, one notices only the great events of the time, the lofty peaks in the passing scenes of history, and the intervening days are almost entirely disregarded.

Looking Forward From 1789.

Ten years after the constitution was adopted the first president of the republic passed away from earth. Ten years later the mutterings of the approaching conflict with Great Britain were disturbing the people of the young nation. In 1812, the storm broke and war was upon the country. In the midst of that war the British soldiery marched upon the nation's capital and burned the public buildings including the then partly completed capitol. When delegates from the territory of Wisconsin came to the seat of

government in the years from 1836 to 1848, they saw workmen still engaged in repairing the damage wrought by the red-coated vandals of 1814. Twenty years had elapsed since that disaster of war when George W. Jones took his seat in the house of representatives as Wisconsin's first territorial delegate. Building operations were slow in those days and years were spent in the work of rebuilding and repairing the public buildings of Washington. When Wisconsin was admitted the city and the capitol were still in a crude and uncompleted condition. Evidences must have been abundant, all along from the Atlantic seaboard, through the capital of the nation and out to the Mississippi river, the then extreme outpost of civilization, to convince the traveler of those days that this was a young republic. Glancing back over the history of the country one is impressed, not only with the tremendous growth of the country since the Civil war, but also with the fact that, considering the facilities for transportation during the period from 1800 to 1848, the growth of the West during the first fifty years of the nation's life was most marvellous.

While the residents of Wisconsin territory in the years from 1840 to 1846 were concerning themselves about gaining admission to the union of states, the public men of the nation were engrossed with questions of grave national moment. The seed was planted in those days from which grew the mighty issues that during the next quarter of a century so agitated the people of the country as to shake the very foundations of the republic. Among these questions were slavery, the national finances, the tariff and the acquisition of new territory with or without the right of the slaveholder to carry into it his peculiar kind of "property." So intense was popular feeling over these questions that even the question of a national war was alleged by one part of the people to have turned on the question of slavery and the desire for more territory to add to the power of the advocates of the extension of slavery.

While the fiftieth anniversary of Wisconsin statehood is celebrated the United States is at war with Spain. During two years of the time in which the congress of the United States was considering the question of the admission of Wisconsin, and just before that result was accomplished, the nation was at war with Mexico. The month of February, 1848, witnessed the conclusion of peace, and during that month the bill was introduced in congress for the admission of Wisconsin. It is an interesting fact that in the midst of the Mexican war congress turned from the absorbing questions attending that conflict to pass the Enabling act preliminary to the admission of the state.

The National Capital in 1846.

When Morgan L. Martin of Green Bay took his seat in the Twenty-ninth congress as delegate from Wisconsin territory, he found himself among men who had occupied high places in the councils of the nation for many years, some of them almost from the date of the birth of the republic. Others of his colleagues became famous in later years by participating in the stirring events which preceded the Civil war. The national capital at that time was a small, dirty, wretched place. The capitol was just passing out of the hands of the artists and artisans who repaired and enlarged it after the destructive work of the British army. The building was about half its present size. The dome was a small, squatty affair, and the wings were only the narrow portions of the building which connect the senate and house wings with the main building that is now surmounted by a dome rising 365 feet above the earth. The city had a few small public buildings. The residents were mainly huddled about the capitol square in small, red brick dwellings, east of the capitol or on Pennsylvania for four or five blocks' distance. This formed the business as well as residence sections of the city. This was several years before Charles Dickens made sarcastic comments upon the shabby and dilapidated capital of a "pretentious nation," and before Mark Twain spoke of the red clay streets of Washington as needing only slight dilution to make them suitable for canals. Around the capitol square, now a magnificent park, there was a high iron fence the gates of which were closed when congress adjourned at night.

Mr. Martin took up his abode in one of the many boarding houses of the town, Mrs. Smallwood's on East Capitol street, a short walk from the legislative buildings. Among his fellow boarders were Augustus C. Dodge, delegate from Iowa territory, son of Henry Dodge, Wisconsin's first territorial governor and later senator. Jacob Thompson of Mississippi who, a dozen years later, as a member of the cabinet of James Buchanan, startled the people of the North by his bold efforts in aid of secession, was also an occupant of the same residence.

The house then met in the old hall of representatives in what is termed the main building—the large, semi-circular room now known as "Statuary hall." Mr. Martin was assigned to seat No. 126, near the middle aisle on the Democratic side of the chamber. Near him sat R. Barnwell Rhett, and in front of him sat W. L. Yancey, both leading Southern Democrats, who were conspicuous in the secession movement a few years later.

Reflect a moment upon the names of the leading men in public life in the period from 1840 to the close of the Civil war. In that list are the names of Daniel Webster, John C. Calhoun, Abraham Lincoln, Henry Clay, Jefferson Davis, Stephen A. Douglas, Andrew Johnson, Jacob Collamer, Alex H. Stephens, John Quincy Adams, Horace Greeley, Joshua R. Giddings, and others. Many of these political leaders, then serving in either the senate or house, had a part in the legislative action which paved the way for the admission of Wisconsin. During the passage of the Enabling act, Stephen A. Douglas was a member of the Committee on Territories, which reported the bill. In the next congress, as a member of the senate, he was chairman of the Committee on Territories, which reported the Admission bill. Abraham Lincoln was in the house when the Admission bill passed that body

and made a motion to reconsider the vote by which the bill was passed—a motion that would, under many circumstances, be regarded as a hostile act. Mr. Lincoln made the motion solely for the purpose of securing opportunity for making a speech on the subject of public lands and their relation to the territories and new states, and internal improvements in general.

The Political Issues of the Time.

When the Twenty-ninth congress met in December, 1845, according to the comments of that time, "the South was in the saddle." Agitation for the perpetuation and extension of slavery was general among the sympathizers with that movement in both houses. The annexation of Texas had just been effected under conditions which impressed many people at the North that it was a move intended to strengthen the cause of slavery in the country. Mexico had protested against the annexation of Texas, had discontinued diplomatic intercourse with the United States, and hostilities between the nations were imminent. A few days after the holiday recess in the winter of 1845-6, Delegate Martin presented the Enabling bill. On Jan. 9, 1846, he gave notice in the house of his intention to introduce such a bill and on Jan. 14 he presented the measure which became a law six months later.

It must have appeared to Mr. Martin, and to the people at home in the territory, that the occasion was not very favorable for securing action by congress on the Enabling bill. Within sixty days after the measure was introduced, and before action was taken on it by the committee having it in charge, the troops of the United States under Gen. Taylor had been ordered to occupy disputed territory in the region of the Rio Grande. Resistance by the Mexican forces followed, and hostilities were opened. Although it was claimed by the Whig leaders that the war was begun by President Polk in the interests of the slavery element in the country, when the executive sent a message to congress on May 11, announcing that a state of war existed between the United States and Mexico, the Whig opposition voted for the war fund appropriations necessary to defend the nation. The formal declaration of war and the war fund measures were occupying the attention of congress within three days of the time the house gave consideration to the Wisconsin Enabling bill.

The Democratic party being in control in both branches of congress, it was natural that the Admission bill should be especially championed by Democratic representatives and senators, particularly from the Northwest region. Then, as now, the delegate from a territory had no vote in the house, and in those days he was not even assigned to committee places. His chief business was confined to "legging around" among the legislators in the interests of the measures favored by his people at home. But the house gave prompt consideration to the Wisconsin bill, notwithstanding the pressure of other matters. The result was that this bill became a law during the session, and a splendid effort was made by Stephen A. Douglas, without success, however, to get an Admission bill through at the second session of that congress the following winter. The Admission bill passed both houses, but too late to be sent to the president.

In the course of the proceedings on the Enabling bill some interesting points were brought out showing the sentiments entertained by the people of Wisconsin territory in regard to admission and what they termed their rights in the premises. Interesting references were also made to the controlling influences of the celebrated ordinance of 1787, passed by congress for the government of the Northwest territory, of which Wisconsin was a part. But the chief difficulty which arose was the subject of the boundaries of the proposed new state. In fact, history records that from the beginning of the work of carving out new states from the Northwest territory Wisconsin suffered from encroachments upon her domain at every point of the compass. It would appear from the records of congress in those days that representatives from states adjacent to Wisconsin had a fear of the new commonwealth being too large. Some of the Illinois representatives were particularly sensitive on that point as the action of one of her members during the debate indicated. Illinois had captured a liberal slice off the southern section of Wisconsin territory when the former state was admitted. The boundary line should have been at the parallel of lattitude with the southern point of Lake Michigan, and Illinois would then have been without a lake port and Chicago would be in Wisconsin.

Passage of the Enabling Bill.

It was nearly seven months from the time the Enabling bill was introduced in the house before it was passed by both branches of congress and signed by the president. A large part of his time was taken up by consideration of the measure in the Committees on Territories of the two houses. On May 14, three days after war with Mexico was declared, Mr. Douglas from the Committee on Territories reported the bill from his committee. The measure was permitted to rest quietly upon the house calendar during the early and exciting days of the war, but on June 8 it was called up by Mr. Douglas and brief remarks were submitted upon it by him. The debate on this day was very limited and was confined to a few remarks by Delegate Martin, by Augustus C. Dodge, the delegate from Iowa, and by Representative McClelland of Michigan. Little attention was paid to the measure. Mr. Martin asked and obtained unanimous consent of the house for the adoption of an amendment to the bill. The amendment struck out a proviso in the measure as follows:

"That the state doth consent to and accept the boundaries in the act prescribed."

It was manifestly the purpose of Mr. Martin to have the question of the boundary of the new state left entirely to the decision of the people of Wisconsin, and to be passed upon at the constitutional con-

vention to be called under the provisions of the bill. This fact was brought out in the debates on the Admission bill in the next congress. The members of the house did not see the point at the time, the amendment slipped through, and by general consent the measure was ordered reported from the Committee of the Whole for passage. Then the house adjourned, leaving final action on the matter to be taken on a later day.

The measure went over until June 10. On that day Representative John A. Rockwell of Connecticut, who had taken considerable interest in territorial questions, and particularly those related to matters of education, appeared in the house with a determination that the measure should be defeated unless the amendment which Mr. Martin had secured, relating to the boundary, was stricken out. In a short speech Mr. Rockwell intimated in pretty plain terms that Mr. Martin had smuggled in the amendment. The Connecticut representative gave notice that this could not be done. Allen G. Thurman, who subsequently became a noted leader of the Democratic party in the senate, and the candidate of that party for the vice-presidency so recently as 1884, was then a member of the house. He made a short speech endorsing the views expressed by Mr. Rockwell. Mr. Thurman said that under the bill as amended it would be possible for Wisconsin to secure admission with boundaries that would give her an area of 68,000 square miles.

Martin Shows Fight.

The disputed points as to the boundary involved the question whether the Northwest boundary of the new state should be on the line of the St. Croix and St. Louis rivers, the territory at that time embracing the larger part of what is now Minnesota. Another boundary line took in a strip of territory off what is now Minnesota, extending to what is known as Rum river, which flows from Mille Lacs in the northern part of Minnesota southward to the Mississippi river. This line would have added about 12,000 to 15,000 square miles to the area of Wisconsin. This point was fully discussed in the debate on the Admission bill in the next congress.

Delegate Martin defended his action in offering the amendment, basing it upon the provisions of the ordinance of 1787, which he showed, provided for five states. Four had already been created and only one more could be made out of the remaining territory. Mr. Martin said that if the bill passed in the manner he had suggested, it meant that the consent of Wisconsin must be obtained before the boundaries could be changed. The house did not believe in the doctrine espoused by Mr. Martin, but agreed with the views expressed by Mr. Rockwell and Mr. Thurman. A motion to reconsider the vote of June 3 was adopted by the large majority of 125 to 45. Delegate Martin was full of fight, however. On the final passage of the bill, with an exhibition of feeling, he offered a motion to lay the bill on the table. That was a strange motion for the Wisconsin delegate to make under the circumstances. If carried it would have delayed the admission of Wisconsin for an indefinite period. It would seem, viewed at this distance, that the better course for Mr. Martin to have pursued would have been to permit the bill to pass in that form, and then put in his efforts to have the change he desired effected in the senate. It is evident that the members of the house took this view of the matter. They defeated Mr. Martin's motion without division, and the bill was passed. Thus it was that the first step of real progress toward admission was made against the protest of the delegated representative of Wisconsin on the floor of congress.

The senate lost no time in acting on the bill. It went to that body on June 11, and was sent to the Committee on Territories. A favorable report was made from the committee on July 9, by Senator James D. Wescott of Florida. On Aug. 5, Mr. Wescott called up the measure and it passed the senate without debate or division. It was thus demonstrated that Mr. Martin had not been able to prevail upon the senate to modify the bill in accordance with the amendment which he had proposed in the house. On Aug. 6, the measure was presented to President Polk who signed it at once, and it became a law.

Under the provisions of this Enabling act the people of Wisconsin proceeded to hold a constitutional convention as authorized, and choose state officials, preparatory to admission when congress should pass a formal Admission bill.

A Busy Session of Congress.

The Enabling act was passed and signed within a week of the adjournment of the first session of the Twenty-ninth congress. After nine months of continuous session, and one of the busiest in the history of congress, an adjournment was reached on Aug. 13. There was no time to be lost in getting through the Wisconsin bill. The record of that session was a remarkable one. The low tariff Democrats being in control, repealed the protective tariff act of 1842, and passed what has been designated at "the Walker tariff of 1846," named for Robert J. Walker, who was secretary of the treasury in Mr. Polk's administration. It was a remarkable piece of legislative work to get through such a bill in nine months' session, considering the time that was spent in debating the war measures. In addition to this, much time was devoted to discussing the Oregon boundary question, which came near involving this country in another war with Great Britain. The issue was the line of north latitude at which the Oregon boundary should be fixed, and the watchword of the time among the American people, "Fifty-four-forty or fight," stirred the patriotic hearts of the people. During the session was also developed the famous "Wilmot proviso," which was attached to an appropriation bill. It provided that in the new territory, to be purchased of Mexico, slavery should be prohibited. As might be expected, these questions, many of which lie at the foundation of political princi-

ples and partisan issues even in the present day, produced long and bitter debates. The passage of the Tariff bill through the senate was effected by a desertion of the protection policy on the part of Vice-President George M. Dallas, who, although a Pennsylvanian and elected as a protectionist, gave the deciding vote on a tie in the senate, favoring the passage of the bill. Mr. Dallas explained his vote in an extended speech from the place of the presiding officer of the senate. He demonstrated that his idea of protection extended no farther than that of protecting "infant industries," as he termed them, and did not touch the fundamental principle of protection based upon difference in conditions of production. In these debates. Benton, Calhoun, Lewis Cass, Webster and John A. Dix were heard in the senate; John Quincy Adams, Douglas, Toombs, Jefferson Davis and Hannibal Hamlin in the house.

Influences of the Ordinance of 1787.

The fact that the Wisconsin enabling act passed during a single session of congress, and in a time of great controversy, is evidence that the fathers of the republic builded wisely and for the exceeding great benefit of Wisconsin, when they adopted the Ordinance of 1787. If the ordinance for the government of the Northwest territory had not settled some important questions, at least so far as that Territory was concerned, it might have been more difficult for Wisconsin to secure admission. It is possible, also, that an effort might have been made by the leaders of the dominant party in the politics of the country fifty years ago, to carry slavery into that Territory against the protest of its people. Such efforts were made with respect to territory acquired as the result of the war with Mexico.

In the next to the last session of the Congress of the Federation, and within two years of the adoption of the present constitution and government of the United States, a vast tract of land was ceded to the government by Virginia and Connecticut. This land comprised what was known as the Northwest territory and embraced the domain north of the Ohio river, east of the Mississippi and the region of the Great Lakes. Congress adopted an ordinance for the government of the territory so acquired. That instrument was, doubtless, the greatest single force in controlling the destinies of the great states of Ohio, Indiana, Illinois, Michigan and Wisconsin, which were formed out of that territory. The framers of the ordinance were fresh from the work of promulgating the Declaration of Independence. They were meditating deeply upon principles of safe republican form of government. This furnishes an explanation of the fact that the ordinance, adopted before the constitution, contained so much that is wholesome and promotive of good government and the freedom of the citizen.

The framers of the Ordinance of 1787 were feeling the first effects of liberty and the inspiring and ennobling influences of self-government in its fullest and best sense. It is true that in framing the Articles of Federation they were not successful in securing a compact and stable government. But their failure in that respect was mainly due to the spirit of state pride which controlled the delegates from the original states. This prevented harmonious action to build up and make strong a central government. It was not until the patriotic leaders in the several states learned by observation, in the first experiments with self-government, that by unity of action in the interests of all the states there could be formed a strong central government with power to make secure republican institutions on this continent. Then the present constitution and national form of government was established.

Provisions of the Ordinance.

Two years before this was done, however, the Congress of the Federation tried its hand at making a law for the government of a people in the remote Northwest territory. That effort was a splendid success. In addition to providing for the security and descent of property, and for local government through officers chosen by congress or by the people, the Ordinance provided certain articles of compact between the original states and the people of the Territory. The object of these articles was stated to be, "For extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish these principles as the basis of all laws, constitutions and governments which forever hereafter shall be formed in the said Territory; to provide also for the establishments of states, and permanent governments therein, and for their admission to a share in the federal councils on an equal footing with the original states, at as early periods as may be consistent with the general interest."

To these ends so well set forth, the ordinance provided that, "No person demeaning himself in a peacable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments in the said territory." The habeas corpus and the right of trial by jury were guaranteed to the inhabitants of the territory, and the rights of person and property were sacredly guarded. This provision was also included: "Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." It will be found by examination of the Wisconsin enabling act that a large tract of land was given to the new state in aid of public schools and for the site of a state university of higher education.

The section of the Ordinance which contributed most to keep Wisconsin's admission free from the controversies of the time is as follows: "There shall be neither slavery nor involuntary servitude in said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted." The latter part of this article guaranteed that any person from whom labor or service is lawfully claimed in one of the original states, escaping into the Territory, such fugitive

might be lawfully reclaimed and conveyed to such person claiming his or her service or labor." This part of the article was the subject of much discussion while the fugitive slave was under consideration soon after the admission of Wisconsin.

Effort to Pass an Admission Bill.

So successful had the leaders in congress been in securing the passage of the enabling act for Wisconsin at the first session, they made a vigorous effort to press through an admission bill in the second session of the Twenty-ninth congress, in the winter of 1846-7. It is not recorded in the annals of congress why this step was not taken by Delegate Martin. He had little part in it. The bill for admission was prepared in the Committee on Territories of the house and was reported direct from that committee. The action was delayed until so late a time in the session that it was remarkable that its passage through both houses was secured. It was reported on Feb. 9, 1847, but it was not considered by the house until Feb. 15. Then the debate was very brief. This indicated that the managers of the measure desired to press it through and they discouraged talk upon the subject. In what was said some light was thrown upon the sentiments entertained by the political leaders of the time on the territorial and slavery questions. In a short speech on the bill Representative George C. Dromgoole of Virginia advocated the doctrine that the people of the new states should be permitted to form their own constitutions without the aid or hindrance of congress. It might have been open to suspicion at the time that Mr. Dromgoole, being from a slavery section, was putting in a word on the Wisconsin bill, to have a desired effect on the constitutional questions advanced with reference to the territories of California and Oregon and New Mexico which were then up for consideration and into the discussion of which was injected much that pertained to the question of the rights of slavery in those territories. Mr. Rockwell of Connecticut again appeared with a proposition with reference to Wisconsin. He desired to have adopted an amendment giving additional public lands to Wisconsin in aid of education. He proposed adding the 36th section as well as the 16th section in each township, to be set apart for support of education. An effort to secure the passage of the bill disclosed the fact that there was not a quorum present and the house adjourned. On the next day, Feb. 16, the bill was taken up, Mr. Rockwell's amendment was defeated by a vote of 80 to 58, and the bill then passed the house without division.

Only two weeks of the session remained when the bill appeared in the senate. The measure was sent to the Judiciary committee to be considered and was favorably reported on Feb. 20, by Senator Chester Ashley of Arkansas. In the press of other matters, incident to the closing days of the session the bill was left untouched, but on March 2, two days before adjournment it was called up in the senate by Senator Breese of Illinois and it passed without debate or division. It was too late for the bill to reach the president for his signature, and it failed to become a law. The work of securing the passage of an admission bill was left to Delegate J. H. Tweedy, who was chosen in the election of 1846 to represent the Territory in the house in the Thirtieth congress.

Important Features of the Wisconsin Enabling Act.

The first section of the Enabling act authorized the people of Wisconsin to form a constitution and state government for the purpose of being admitted into the Union on an equal footing with the original states in all respects whatsoever by the name of the state of Wisconsin.

The boundaries were prescribed beginning with the northern corner of the northern line of Illinois and extending up through Lake Michigan, Green Bay and through the Menominee river to the Mississippi river, and from the Mississippi to the mouth of the St. Louis river, thence down due south to the main branch of the St. Croix river, thence to the Mississippi and through that river to the Northwest boundary line of Illinois.

The jurisdiction of the islands in the Brule and Menominee rivers on the northwest boundary of the state was given to Wisconsin with the provision that the boundary so fixed with the jurisdiction of the islands in Wisconsin should not be binding on congress unless it was ratified by the state of Michigan by the 1st of June, 1848.

The third section covered the question of concurrent jurisdiction of the Mississippi river with the territory bordering on the west bank of that river and provided that the Mississippi and the navigable rivers leading into it shall be forever free to the inhabitants of Wisconsin as well as to all other citizens of the United States without any tax, duty or toll.

The fourth section extended the laws of the United States and constituted the territory to be admitted as one judicial district, fixing also a District court to be held twice a year, also fixing the jurisdiction of the judge of such court and his compensation at $1,500 a year.

The fifth section authorized the appointment of a district attorney and gave him a salary in addition to the fees of $200 a year. Also provided for the appointment of a marshal with duties the same as in other United States districts with fees additional to his annual salary of $200.

Section six provided that until another census shall be taken the apportionment made in the state of Wisconsin shall entitle her to two representatives in the congress of the United States.

The seventh section included five subdivisions with the proviso that the propositions included in the sub-divisions are to be submitted to the constitutional convention called to be held for the purpose of forming a constitution for the state, for acceptance or rejection, and providing that if accepted by the convention and ratified by an article in the constitution these provisions should be binding on the United States. The first sub-division gave to the state each section numbered sixteen in every township of the public lands in the state for the use of the schools. The second sub-division gave to the state the second section of two entire townships of lands set apart for use and support of the university, to be used as the legislature might prescribe. The third sub-division provided sections of land to be selected and located by the late legislature are granted to the state for the purpose of completing the public lands of the state and to take the others at the seat of the government. Under the fourth sub-division grants of not exceeding twelve salt springs in the state were made to the state for its use, the same to be selected by the legislature. The last sub-division provided for the payment to the state of 5 per cent. of the net proceeds of sales of all public lands lying within the state which had been sold or should be sold from and after the admission of the state into the Union after deducting all expenses incident to such sale. This proposition was accompanied by the provision that the payments are offered on the condition that the constitutional convention shall provide by a clause in the constitution and irrevocable without the consent of the United States that the state shall never interfere with the primary disposition of

the lands within the state by the United States, nor with any regulations congress may find necessary for securing title to such sale, to a bona fide purchaser thereof. And that no taxes shall be imposed on lands the property of the United States, and that in no case shall non-resident proprietors pay taxes higher than residents. Approved Aug. 6, 1846.

II.

On Feb. 21, 1848, Delegate John H. Tweedy, Introduced the Bill for the Admission of the State. Sad Incident on the Floor of the House on That Day—Efforts of an Illinois Representative to Reduce the Area of the New State—Abraham Lincoln a Member of the House—Jefferson Davis and Stephen A. Douglas in the Senate.

Congress has prescribed conditions upon which Wisconsin will be admitted into the Union. The state has accepted them. Congress should not now insist upon other conditions. It would be a violation of good faith. The Enabling act had been for the admission of "the state of Wisconsin, not the territory of Wisconsin." Congress has, therefore, recognized Wisconsin as a sovereign, independent state before her admission. The constitution does not compel congress to admit new states or new states to enter the Union. Wisconsin might remain without and set up an independent empire. But it must not be expected that 200,000 people will long remain in territorial bondage.—Hon. John Gayle of Alabama, in the house of representatives, May 9, 1848.

The bill for the admission of Wisconsin was presented in the first session of the Thirtieth congress by Delegate Tweedy from the territory. It was reported from the Committee on Territories, and was debated at some length during sessions in May, 1848.

The visitor from Wisconsin who indulges in the pleasure of sight-seeing around the national capital will not fail to see the magnificent piece of statuary in the old Hall of Representatives, representing Marquette, the Jesuit explorer. This statue was placed in the hall by the people of Wisconsin to commemorate the part taken by Marquette in opening the way for white settlements in the region now comprising the state of Wisconsin. Standing in front of that statue, as one naturally would in order to obtain a good view of its beautiful outlines, the attention of the visitor is certain to be directed to a small bronze shield imbedded in the marble floor of the hall. On this shield is inscribed:

JOHN QUINCY ADAMS.

February 21,

1848.

The tablet commemorates the fact that the sixth president of the United States, the "Old Man Eloquent," fell in fatal illness on that spot on the date mentioned. That fact would be even more interesting to the Wisconsin reader if he would recall that the bill for the admission of Wisconsin into the Union of states was introduced in the house on Feb. 21, 1848, within a few moments of the time John Quincy Adams fell.

When the Thirtieth congress met on Dec. 6, 1847, it was with a Whig majority in the house and a Democratic majority in the senate. Wisconsin territory had retired Morgan L. Martin, the Democratic delegate who served in the previous congress, and sent as delegate to the Thirtieth congress, John H. Tweedy, a Whig. Mr. Tweedy was a practicing attorney residing in Milwaukee. He was a graduate of Yale college and a man of scholarly attainments, which he exhibited during the debates on the Wisconsin admission bill. He had been chosen delegate over Moses M. Strong, Democrat, by a majority of about 1,000, in a district which, two years before, had given Mr. Martin nearly the same majority over his Whig opponent. Mr. Tweedy must have had special delight in entering upon the work to secure the passage of the admission bill in a house composed for the most part of representatives of the party to which he was allied. It is true that he obtained no committee assignments, nor could he exercise any privileges on the floor except to speak on measures which attracted his attention. He could talk but the deciding votes were cast by the respresentatives on the floor. He could put in his time with personal efforts in urging the members of the house to support the measures in which Wisconsin was interested, and he could espouse these measures in debate. He showed himself equal to the emergency when the bill for the admission of the state came up for consideration.

A Session Devoted to Politics.

Mr. Tweedy did not wait for the Committee on Territories to make a move toward securing the admission of the state. Soon after the holiday recess he introduced the bill, and from that time he pressed it upon the attention of the house until it passed that body.

It is interesting to note that while the Wisconsin admission bill was under consideration in the committee peace was declared with Mexico. In order to have history repeat itself within the half century which constitutes the life of the commonwealth of Wisconsin, it should happen that, ere this year has passed off the stage of time, congress should be engaged with the questions arising from a conclusion of peace with Spain as a result of the war in which the nation is now engaged. Under such conditions, in order to make a closer parallel as to events in the national arena of politics to those which occupied the attention of the country fifty years ago, we should soon be engaged in considering terms as to the acquisition by the United States of the Philippine islands, Porto Rico, and perhaps Cuba. Note how the parallel would be made. Just fifty years ago last February, while Wisconsin admission was pending, peace was declared with Mexico and Upper California was ceded to the United States and, in the settlement of the questions involved, the United States agreed to pay Mexico about $15,000,000. As a result of the difficulties with Mexico, from

first to last, considering that the annexation of Texas came as a result of these differences, although that event preceded and in a large degree incited the difficulties, the United States acquired in the Mexican controversy a tract of territory greater than Spain and all her present dependencies on the globe. It is to be hoped, however, that peace may be declared with Spain during the present year, and that congress may be engaged in adjusting the questions involved in the conquest by the United States of the Philippines, Cuba and Porto Rico.

One effect of the congress of 1848 being divided on political lines was to check the contests over the exciting political questions of those days. The Thirtieth congress was dull and prosy compared with the busy and exciting congress which immediately preceded it. The representatives and senators in the Thirtieth congress were much like those of their latter day brethren in respect to their disposition to take advantage of the period immediately preceding elections to debate, on the floors of congress, the issues to be considered and passed upon by the people in the elections. Hence it was that the greater part of the first session of the Thirtieth congress was occupied in discussion of questions related to the campaign of that year, which resulted in the election of Zachary Taylor, the "hero of Buena Vista."

In order to complete the comparisons of events in 1848 with events of the present day Dewey might be named as a presidential candidate on account of his victory in the Philippines. Taylor received the thanks of congress for the victory of Buena Vista, and that military hero of fifty years ago distanced Clay and Webster, the greatest Whig statesmen of the time, in the race for the presidential nomination. These matters were under discussion preliminary to the presidential campaign of 1848, and in the midst of the political talk in congress the admission bill was passed three months before the adjournment of the first session. Although little was done during that session compared with the first session of the Twenty-ninth congress, the session was of the same length almost to a day.

Scenes in Congress in 1848.

There appeared in the house of representatives in the first session of the Thirtieth congress the stalwart Whig from Illinois, Abraham Lincoln. Stephen A. Douglas, the great Illinois Democrat, who had rendered such excellent service in behalf of the passage of the Wisconsin enabling act in the preceding session, had been promoted to the senate, where he became an active and able worker for the admission of the state.

The debates in the Thirtieth congress were colored to fit the on-coming presidential elections. The political parties in the country were pretty evenly matched. It was apparent that a decisive victory by one or the other would mean much at that time as an influence in the scale to determine whether the South and slavery should dominate the affairs of the nation, or whether the anti-slavery people of the North should rule the destinies of the republic. As indicative of the sentiment in the South at the time it may be recalled that many petitions were presented in congress by the representatives from that section asking the passage of measures to enable the citizens of the slaveholding states to recover slaves escaping into free states. This was the prelude to the contest in the thirty-first congress over the fugitive slave law. In the early part of the session the conduct of the war with Mexico, which came to an end very soon thereafter, was discussed, particularly with reference to the president's message on that subject, which was laid before congress at the beginning of the session. There was also considerable discussion over the question of territorial governments to be organized in California and New Mexico which were acquired from Mexico. On questions of this kind and collateral subjects there were many interesting debates in the house, in which Abraham Lincoln participated, and in the senate were heard the brilliant speeches of Stephen A. Douglas, Jefferson Davis, Webster and others. In those debates were laid the foundations for the remarkable careers in congress of the statesmen of the Civil war period.

The record made by Abraham Lincoln during the Thirtieth congress, which has been lightly passed over by historians and commentators upon the life of the martyr president, was not so mean and inconsequential as has been so often suggested. He participated in the debates, but it would appear from the course he adopted in that congress that he felt that his term in congress was rather more of an opportunity for him to size up the situation, and take the measures of the political leaders of the day, than an occasion for preparing himself for a career as a legislator. Was it not really a preparatory course for Lincoln to fit him for the mighty contest which he felt would involve the nation which perhaps he could see coming and which he felt would involve the nation in war? It is probable that already Lincoln had in mind the idea of making a race against Douglas for the senate. As evidence that he was a far-seeing man, even in the early days of his wonderful career he had an eye on the presidency. Attention was called to that fact during his memorable debate with Douglas a dozen years later. He put questions to Douglas which, as was suggested at the time, if answered in the affirmative would elect the latter to the senate. Lincoln admitted that he was after bigger game. He said he had in mind placing Douglas in such a position that the "little giant" would be deserted and denounced by the Southern wing of the Democratic party and thereby prevent him securing the united support of his party for the presidential nomination in 1860. Considering the far-seeing shrewdness of Lincoln immediately preceding the war, it is not too much to suppose that he spent his time in the Thirtieth congress preparing to move the mighty forces at the North whom he knew were against the continuation of slavery under any conditions, to say nothing of its extension into new territory.

Appearance of the Admission Bill.

Such were the political conditions in congress and in the country when Delegate Tweedy appeared in the house in December, 1847. Mr. Tweedy was assigned to seat number 204, on the back row of the west side of the chamber, within ten feet of where the Marquette statue now stands. Abraham Lincoln had seat No. 191, within three seats of the Wisconsin delegate. John Quincy Adams had seat No. 36, down nearer the speaker, out of respect to his long service and the fact that he was an ex-president. In the house were a number of representatives of prominence in the councils of both political parties, some of whom contributed greatly to making the history of the ante-war period. Among them were Alex. H. Stephens of Georgia, later vice-president of the Confederacy, Joshua R. Giddings, the stalwart Ohio representative, and Jacob Collamer of Vermont, honored by that state with a statue in the old hall, in which he rendered such conspicuous and able service. Mr. Tweedy took up his residence at Willard's hotel, down Pennsylvania avenue, near the treasury. Among those who lived at the hotel were Stephen A. Douglas and Reverdy Johnson of war-time prominence and fame.

On the opening of the session of the house, Monday, Feb. 21, nearly three months after the Thirtieth congress began its session, the attention of the members of the house was directed to a number of matters of interest to the people of the Northwest. Soon after the house met Delegate Tweedy offered a bill to reduce the minimum price of certain reserve public lands in the territory of Wisconsin, and to grant rights of preëmption to settlers in the territory. This action gave evidence that the delegate was devoting attention to matters which would contribute toward increasing the population of the territory. "Long John" Wentworth of Illinois, then a member of the house, also exhibited his interest in the affairs of Wisconsin territory, and in the commerce of the Great Lakes, by introducing a resolution directing the Committee on Commerce to inquire into the expediency of constructing a lighthouse in the channel of Death's door, entrance to Green bay. Then Mr. Tweedy arose and presented the bill for the admission of Wisconsin.

This action on the part of the delegate from Wisconsin occupied the attention of the house but a moment, and the members proceeded to consider a resolution proposing the thanks of congress to certain officers who had served with distinction in the Mexican war. Then occurred a scene of great excitement the sequel of which cast a gloom over the capitol and prevented sessions of congress for three or four days. There was a controversy lasting a few moments over the resolution, and on the preliminary votes on the measure it was observed that the venerable John Quincy Adams had uttered his negative in a tone filled with disgust and indignation, his face flushed with anger. Mr. Adams had been opposed to the Mexican war from the beginning, and everything connected therewith, and his votes for supplies of the army had been given under protest, and he regarded the war as unnecessary. The time came, however, for the final vote on the resolution of thanks, after ordering it to a third reading, which vote brought from Mr. Adams an explosive and violent negative. Speaker Robert C. Winthrop arose to put the question on the final vote. It was observed that Mr. Adams was rising as if to speak. He fell forward on his desk. A crowd of members pressed about him and Representative Washington Hunt of New York requested the speaker to desist, as did a number of members in the vicinity of Mr. Adams, who then appeared to be in the agonies of death. He was borne out into the rotunda for air, and then to the speaker's room, where he died two days later.

Thus the admission of Wisconsin was marked by an event which formed a connecting link between the present half of the century and the half century which preceded the admission of the state. Mr. Adams was 81 years old. For fifty years he had been in the service of the country, being 22 when the constitution was adopted.

Bill Reported From the Committee.

Mr. Tweedy's bill for the admission of the state was at once sent to the Committee on Territories. The membership of that committee was as follows:

Caleb B. Smith of Indiana, chairman.
Robert R. Cranston of Rhode Island.
Howell Cobb of Georgia.
Julius Rockwell of Massachusetts.
James Thompson of Pennsylvania.
Daniel Gott of New York.
Isaac E. Morse of Louisiana.
Nathan Evans of Ohio.
Timothy Pillsbury of Texas.

This committee retained the bill until April 13, when it was favorably reported by Chairman Smith. The measure remained on the calendar for nearly a month before it was given any attention. On May 9, notice having been given by Chairman Smith of his purpose to call up the bill for consideration, a motion to close debate upon it at 2 o'clock was made by Alexander H. Stephens of Georgia. The house went into the "Committee of the Whole" to consider the Wisconsin bill, and Howell Cobb of Georgia was chairman and presided during the discussion. When the first section of the measure had been read, providing that the state of Wisconsin "be, and is hereby admitted into the Union on an equal footing with the original states in all respects whatever," Representative Robert Smith of Illinois proposed an amendment by adding at the end of the section the following:

"With the boundaries prescribed by the act of congress of Aug. 6, 1846." (The Enabling act.)

This action precipitated a lively debate. Accompanying Mr. Smith's amendment was a detailed amendment, designating the proposed boundaries of the new state, wherein it was shown that the boundaries would not be precisely as they were fixed in the Enabling act, but would really curtail the area of the state by moving eastward several miles the boundaries of the state on the northwest line. Mr. Smith explained later that it was his purpose to curtail the area, pointing out that the St. Croix river line, as proposed, would bring within the new state persons who did not

desire to reside in Wisconsin. Thus it will be seen that a second attempt was made by an Illinois member to reduce the size of Wisconsin. Mr. Smith soon discovered that he had awakened a pretty lively opposition.

A Missouri representative, James B. Bowlin, jumped into the arena and made a short speech in which he pointed out that the boundary proposed by Mr. Smith was neither the boundary fixed by the constitution of Wisconsin, nor that fixed by congress, and Mr. Bowlin said he could see no reason for the proposed reduction in the size of the new state. He showed that the boundary lines provided for in the act of congress and as understood by the people of Wisconsin in their constitutional convention, would not make the new state disproportionate to other states. He said there was nothing he could see that would recommend the boundary proposed by Mr. Smith, which, if adopted, would create an unnatural boundary, and for some time keep Wisconsin out of the Union. He said Wisconsin had chosen her state officers, on assurance given her by congress, and she should not now be repulsed.

Mr. Smith was a persistent chap. He defended his amendment, and said it would obviate the objections that had been raised to other lines of boundary that they would bring persons within the new state who had no interests in common with those who lived in the state. He spoke of the distance from the St. Croix river to the capitol at Madison, which he said was about 500 miles. This was a remarkable statement as the greatest length of the state is only 300 miles. He said it would be an injustice to the people of the St. Croix valley to compel them to travel so great a distance to get to the seat of state government.

Amos Tuck, a representative from New Hampshire, where they can stand on the stone fences and look across to the boundary lines of their state, proposed to take a tuck in the size of Wisconsin by leaving out the St. Croix valley. He said if the proposition were agreed to by congress the Wisconsin convention could conform to it in a few weeks and no great inconvenience would result. A cheerful chap was Tuck.

Mr. Tweedy Makes a Speech.

One can imagine, even at the distance of fifty years, how the proposition by Mr. Tuck must have struck Delegate Tweedy. He at once took the floor, and it was apparent that he was indignant. He expressed surprise that such an amendment was offered. He said the house had no right to entertain an amendment that was insulting to the dignity of Wisconsin. He went over the terms of the Ordinance of 1787, and said that an attempt was being made to vary the boundaries as intended to be covered by that Ordinance. If the territorial limits were now to be changed it must be done by common agreement between the United States and Wisconsin. Two years before congress had passed an act proposing a boundary line for Wisconsin preparatory to admission, and to this the state had acceded. The compact was complete. Wisconsin had complied with the terms and was now ready to be admitted. She had a population of more than three times the required number, and she had anticipated no obstacles to her admission. He asserted that notwithstanding the objections raised by Mr. Smith of Illinois the terms of the latter's amendment would not be accepted by the people of Wisconsin.

An Ohio representative, Samuel F. Vinton, was captured by the logic of Mr. Tweedy, and he made an argument in favor of the St. Croix river boundary line. Wisconsin had assented to it and in good faith congress was bound to stand by the agreement made in the enabling act. He said his personal impression was that a line further east would be more preferable, but this could not be done without a violation of public faith. The people of Wisconsin, although favoring a boundary further north and west, had expressed a willingness to abide by the St. Croix line, and it was now too late for congress to go back on its own proposition. Mr. Vinton commended what Mr. Tweedy had said respecting the terms of the Ordinance of 1787. That ordinance had provided that when there were 60,000 souls in one of the territories erected in the Northwest it had a right to become a state on equal terms with the other states. Congress had no right to reject Wisconsin.

A speech was then made by Representative James Wilson of New Hampshire. He immediately demonstrated that he was not built upon the same contracted plan as his colleague Tuck. He gave evidence of an intimate knowledge of the geography of the Northwest and the interests of that locality. He said the house was familiar with the terms of the Ordinance of 1787. The provision as to the line drawn due East and West from the Southern exterminty of Lake Michigan had been disregarded. He called attention to the grab that had been made by the states of Illinois and Indiana in extending their areas by moving their northern boundaries far above the line mentioned. After showing that three boundary lines had been considered for Wisconsin he insisted that the line which had been assented to by the people of the proposed state in their convention was the best. He described the different sections of the territory in point of fertility of the soil and said the greatest fertility was found along the immediate boundaries of the streams. He dwelt upon the excellence of the country and the capacity of the Mississippi valley to maintain a dense population. Mr. Wilson insisted that the line agreed to by the people of Wisconsin would avoid separating the people residing in the St. Croix valley.

R. M. McLane, a representative from Maryland also opposed the boundary suggested by Mr. Smith and said that the people of Wisconsin had favored the Rum river boundary, but from fear of further delay in securing admission had concluded not to insist upon it. In answer to a direct question Mr. Tweedy said the people of Wisconsin would prefer the

boundary North and West of the St. Croix, and that he preferred that line but would take the one offered by the bill as the next best thing. Mr. McLane went on to urge that the St. Croix was the best river in Wisconsin, that it watered a fertile country, and should be retained.

Short speeches were made by William Sawyer, representative from Ohio and John Gayle of Alabama. Mr. Gayle was an enthusiastic defender of the rights of Wisconsin in the premises. He said the United States had not violated faith with Texas and should not do so with Wisconsin. Texas had demanded the recognition of the Rio Grande as her Southwestern boundary, and congress had rejected her on that account. Texas subsequently agreed to leave that question open to negotiation and congress had received the state. Congress should live up to the conditions it had made for Wiscousin.

The Persistent Mr. Smith of Illinois.

Representative Smith was a good fighter for a bad cause. One would think that from the manner in which his amendment had been kicked and batted about the arena of the house by every member who had spoken on the subject, he would have yielded. He would not do so. He made a lengthy speech in advocacy of the change he proposed. He admitted that under the Ordinance of 1787, Wisconsin had a right to come into the Union as a whole, taking in the vast tract west of the St. Croix, if congress would not take the state with the boundaries proposed. Wisconsin contained 90,000 square miles. The line he proposed would give 47,000 square miles, while that proposed by the bill would give nearly 60,000. Mr. Smith said that would make a state larger than Ohio. Mr. Smith went after Delegate Tweedy with some warm oratorical shot. He said Mr. Tweedy had admitted that as a delegate in the state convention he would have advocated the southerly line, but as a delegate on the floor of the house he had favored the most northerly boundary. He admired the devotion of the delegate to the wishes of his constituents. It was carrying out the doctrine of instructions which was a proper course to pursue. Smith contended that congress had a right to fix the boundary and he had no doubt Wisconsin would accept it rather than be forced in as a state of unwieldly dimensions. The Illinois member waxed warmer as he proceeded, and he showed that he had some facts up his sleeve which evidently came from objecting delegates in the state constitutional convention. He presented a minority report which he said had been offered by a Mr. Brownell from the St. Croix region, in the convention, opposing the St. Croix boundary. Mr. Smith accepted this as showing the injustice of fixing that line. Dealing with the speech made by Mr. McLane of Maryland the Illinois member made a warm retort. He asserted that McLane had advocated the remote line in the interests of capitalists at the falls of the St. Croix river. Smith said he chose to consider the interests of the masses of the people, rather than the capitalists at the Falls. He insisted that he had too long shown devotion to the interests of Wisconsin for anyone to doubt his friendship for that state.

Failed to Take Final Action.

The last speaker of the day on the bill was J. W. Houston, a representative from Delaware. He insisted upon the line that had been agreed to by Wisconsin being adopted. He was willing to receive the state entire if the people of Wisconsin wished it so. At all events he was willing to accede to the wishes of the people of Wisconsin and thought they were best qualified to judge what would promote their own interests.

The debate had consumed the greater part of the day. Mr. Smith had given no indication of withdrawing his amendment, and the house adjourned without completing the measure or taking final action upon it. On the following day it was taken up and the debate which resulted invaded the whole realm of territorial questions touching the public lands, internal improvements and aid to popular education. Indeed, it was manifest that the house was not busy during that session with pressing public questions. Both houses of the preceding congress had passed a Wisconsin admission bill with almost no debate, but now the subject engaged the attention of the leading members of the house, and they made lengthy speeches upon it.

How much like the house of representatives of to-day was that popular branch of congress half a century ago. Sometimes devoting hours and days to debate of questions over which there is little division of opinion or controversy, and at other times rushing through the most important measures without debate. It depends on the time at the disposal of the house, and somewhat on the mood of the leaders. These factors evidently controlled in the house a half century ago.

III.

The Wisconsin Admission Bill Is Exhaustively Debated in the House of Representatives on May 10, 1848—Questions as to Boundary, and Grants of Public Lands to the Commonwealth in Aid of Canal Improvements Discussed — Speech by Abraham Lincoln on the General Subject of the Disposal of Public Lands in Aid of Public Improvements in the States—Admission Bill Passes the House—Stephen A. Douglas Reports the Measure in the Senate—It Passes That Body Without Debate or Amend-

ment—President Polk Affixes His Signature on May 29, 1848.

They (the people of Wisconsin) planted themselves upon the ordinance of 1787. * * They come not as a British province suing at the foot of the throne for the privilege of self-government. If they come into the Union at all they will come into it on a footing of perfect equality with the other states. Wisconsin must come in as a sister or not at all. On this point men of all parties were as one; every soul in the state was of one mind.—Delegate John H. Tweedy of Wisconsin, in the House of Representatives May 10, 1848.

The debate in the house of representatives on the Wisconsin Admission bill was concluded on May 11, 1848. It went to the senate where it was passed without debate or division on May 19. The bill was presented to President James K. Polk on May 29, and was signed by the executive on that day.

When the house met on May 10, 1848, after the disposition of some minor business Representative Smith of Indiana, on behalf of the Committee on Territories, called up the Wisconsin Admission bill, and Mr. Cobb of Georgia again took the chair while the measure was considered in committee of the whole. Mr. Cobb stated that the question first to be determined was the amendment proposed by Mr. Smith of Illinois relating to the boundaries of the state.

The debate that followed took in the whole range of questions affecting the relations of the general government to the new states coming into the union, and the subject of the disposition of the public lands in aid of education in the new states, or to encourage internal improvements. The great political parties of the time were divided on the question of governmental participation in the prosecution of improvements to facilitate commerce. The Democratic platform of 1840 had declared that under the constitution of the United States the government was not authorized to carry on a system of internal improvements. The people of the West and Northwest were greatly interested in this question. Federal aid in the work of building up a system of canals and the improvement of harbors on the great lakes and streams which, with improvement, could be made navigable, was of the utmost importance in the upbuilding of the West. Railroad transportation was in its infancy. Twenty years before the admission of Wisconsin the first railway train was moved in the United States. Travel between the East and the West was a serious problem. The transportation of goods was by the slow means of wagon train. Writing of the condition of trade and travel and industry in 1848 Judge Tourgee once said:

The time of which we write was near the waking from a long slumber. The canal which stretches from lake to river (Erie canal) was still the main avenue of transit eastward and westward. Beyond that the steamer and the stage coach held sway. The grosser products of the West consumed themselves before they reached the Eastern markets. The cattle and swine stretched away in endless droves across the states lying eastward of the Mississippi river. The sustentation of these while on the way to the Eastern markets enriched the farmers along the route more than those who reared the drove. Cheese sold at the ports of Lake Erie then at 3 cents a pound. That very year (1848) tens of thousands of fat sheep were slaughtered in Ohio for the hides and tallow—only the hams and tongues being saved for food. The West was open—known to be full of possibilities. It teemed with food, but yet was poor. The East was at its zenith Every industry was quick. Labor was in abundance and yet in demand. Wages were low and so were supplies. The land was a bursting hive, a magazine of possibilities. We were still a nation of handworkers. There was not a mower or harvester in existence. The telegraph had begun in Washington and ended at New York twelve months before. The land was lighted by candles after nightfall. The spinning wheel and shuttle sounded in every farmer's house. Butter was unmarketable 100 miles from the dairy. The steam saw mill had just begun to devour the forest. From East to West was the pilgrimage of a life: from North to South a voyage of discovery. A day's journey was a serious matter. The canvas covered wagon was the ark of trade. The saddle was the emblem of speed. Men slept yet in their beds. The day began with the dawn, and not with the train's arrival. The turnpike was still the great artery of trade. The highways were dusty and populous. There was time to live. Brawn and brain went hand in hand. Every life touched nature. Like Anteus we felt the earth beneath our feet and were strong. We had vanquished nature and sat by the Indus of time weeping for other world's to conquer.

Men and parties were shifting their positions on this question of internal improvements. The people of Wisconsin territory during the period from 1836 to 1848 must have watched with keen interest the changes in popular opinion on this question throughout the nation. It was a matter of great moment to the settlers in the new territory. The people of the state who now see a dozen swift-flying railway trains come and go by their doors every day, to whom a journey across the state or across the continent is a matter of but a few hours, find it difficult to understand why so much attention was paid to the question of improving canals and waterways during the time when Wisconsin was knocking for admittance at the door of the nation. The canal projects in the new state meant much to its people. They had asked aid from the general government to carry out a project for the Rock River canal and for the canal to connect the Mississippi river with the Great lakes by way of the Fox and Wisconsin rivers. They wanted an outlet for their produce to the markets of the more populous sections of the country. This explains the land grants in the enabling act and in the admission bill in aid of these canal projects in the new state. It was upon such disposition of the public lands that the leaders of the house, during the debate on the admission bill made lengthy speeches.

Wisconsin and National Improvements.

A majority of the people in Wisconsin, when the territorial government was formed in 1836, were advocates of the principles of the Democratic party. They wanted internal improvements to aid in developing their territory which they expected soon would be a state. It must have been especially gratifying to those people to pin their faith to the pledges of the national Democratic party made in its platform in 1832 which contained this resolution: "That a uniform system of inter-

nal improvements, sustained and supported by the general government, is calculated to secure, in the highest degree, the strength and permanency of the republic." Adhering to this declaration of a policy that was expected to contribute so much to the upbuilding of their section of the country, it must have been rather discouraging to the people of Wisconsin territory when the Democratic party in 1840 adopted a platform containing this plank: "That the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements." The latter declaration was made just as the people of Wisconsin were appealing for aid in the construction of their canals. It was to this subject as embraced in the admission bill, touching the grant of public lands to the state, and the prices to be asked for such lands, that the house of representatives directed its attention of May 10.

Representative Dickinson of Ohio opened the debate with a speech on the boundary question. He recounted objections which had been raised to the various boundary lines proposed, and to the claim made by the people residing in the St. Croix valley that they would be put to inconvenience by being included within the boundary of Wisconsin. He said this was a point of some weight, but was always an objection that would be largely exaggerated in a new country. He spoke of similar inconveniences which had been mentioned in the case of Ohio when that state was admitted, forty years before. He insisted that Wisconsin had the same power to prescribe her boundaries that congress had, and if congress did not agree to the boundaries it would be willing to allow Wisconsin to remain a territory. But Wisconsin was no longer a territory. She had formed a state constitution, and made all preparations for coming into the Union as a state. Suppose congress did not confirm the boundary line proposed by the state, but insisted upon a new one, which Wisconsin would refuse to accept. by what laws would she then be governed? She would have a state government and yet not be within the Union. Would she be governed by state laws, or by the laws of the territory? He favored the line agreed to by the state. He suggested that possibly the states of Illinois, Indiana and Ohio were all too large. When the Ordinance of 1787 was adopted the constitution had not been framed, and at that time it was observed that difficulties surrounded the system of debt collection and of regulating commerce in the territories. Now under the territorial laws Wisconsin had a right to collect taxes. She was equipped to enter the Union and Mr. Dickinson said the admission bill should be accepted without amendment, and the boundary line which had been proposed in 1846 should be assented to by congress. He hoped the bill would be agreed to as Wisconsin wished.

Thus the admission bill was given a very good start in the day's debate, and the amendment of the irrepressible Smith of Illinois was in a fair way to be knocked out.

The Question of Land Grants.

At this juncture one of the most distinguished representatives on the floor entered the debate. This was Jacob Collamer of Vermont, who was chairman of the Committee on Public Lands of the house. Judge Collamer was already an eminent man in public affairs. He had been judge of the Supreme court of Vermont and had already served three terms in the house. Later he was elected to the senate, and then was appointed postmaster-general by President Taylor in 1849. Mr. Collamer might have something of importance to say respecting the admission bill. He said that on account of the time limit on the debate he would say nothing about the point under discussion relating to the boundaries of the state. He addressed himself to the second and third sections of the bill relating to the land grants to the state in aid of canal improvements. He said if these sections were stricken out Wisconsin could be admitted as well as if they were retained. The sections mentioned related to grants of land in the state made in 1838 to aid in the construction of the canal connecting Lake Michigan with Rock river. The proposition for the grant had failed and the project had been given up. In the meanwhile, however, some of the reserved sections of the land in question had been sold at $2.50 an acre. The state had asked to be permitted to locate 500,000 acres of land allowed her by congress on a part of these reserved sections. As the canal project had been abandoned and the lands were subject to entry, he had no objection to the request made by the state. Judge Collamer then took a shot at the Fox and Wisconsin canal enterprise, which was just appearing as an issue in the political affairs of the time. He spoke of the conditions of the grant of 1846 in aid of the project for establishing a continuous water course between the great lakes and the Mississippi. The Wisconsin constitutional convention had asked that the grant be permitted to stand, and that congress lower the price of the reserved sections of the grant to $1.25 an acre. To this he would not agree. It was going a little too far, and to this point he felt it his duty to call the attention of the house. He thought a dangerous precedent would be established if the government should acquiesce in this request.

Mr. Collamer entered into a general discussion of the canal systems that had been established in New York, Indiana and Ohio, and the plan that had been adopted by congress in granting lands in aid of these enterprises. He insisted that the moment congress assented to the fifth resolution of the Wisconsin convention, it took a step which would cause a loss to the government in respect to its public domain. He also objected to the resolution because nothing had been done on the Fox and Wisconsin canal. He asked that the fifth resolution be stricken out, but added that the remainder of the bill he was willing to leave undisturbed.

Another Friend of Wisconsin.

A reply was made to Judge Collamer's speech by a Louisiana representative, Isaac E. Morse, who was a member of the

Committee on the Territories. Mr. Morse discussed very fully the question of aid to canal improvements in the different states. He believed that the grant made to the Des Moines river improvement in Iowa was important, and that it had been right to make such a grant to Iowa. He wanted to know if a canal improvement in Wisconsin was not equally important. Why should not Wisconsin obtain a grant upon the same terms? Mr. Morse said he regarded the requested reduction in the price of the reserved sections as an act of sheer justice to Wisconsin, and it came with particularly good grace from that state, as she had agreed to accept this grant as part of the 500,000 acres due her.

Judge Collamer replied in a lengthy speech, covering much the same ground he had gone over in his first speech. After Mr. Morse made a rejoinder, a running debate was participated in by Messrs. Collamer and Morse and Representative John A. McClernand of Illinois. The latter gave evidence that he had no sympathy with the scheme of his colleague Smith, to further reduce the area of Wisconsin and delay her admission.

At this point Representative Rockwell of Connecticut, who, it will be remembered, participated in the debate on the enabling act in the previous congress, appeared in the discussion. He still had with him his scheme for additional aid to education in Wisconsin, which had been defeated when the enabling act was pending. He offered it again as an amendment to the admission bill. He said he was more in favor of liberality toward Wisconsin because of the splendid course of the state in regard to public lands, which had been liberal in the highest degree. He wanted to give the Thirty-sixth section of land in each township of the state as additional aid to education. He thought all the new states should have more liberal grants for this purpose.

Delegate Tweedy on Admission and the Canal Grants.

At this point Delegate Tweedy of Wisconsin secured the floor. He discussed at considerable length the general question of admission and the points raised by Judge Collamer. Mr. Tweedy said he would not spend much time on the boundary amendment; he had said all he cared to say on that subject the previous day. He insisted, however, that it must be apparent to everyone that congress had no right to impose upon Wisconsin the boundary line proposed by Mr. Smith of Illinois, and make that a condition of admission. Mr. Tweedy said he knew well the sentiment of his people at home on that question. He had in the state convention been in favor of the southerly line, but he would now vote against that. Wisconsin would never come as a beggar at the door of congress asking for what was her right. Her people would place themselves in no such attitude. Mr. Tweedy said that he, and those who were associated with him, had labored with the people of the state day and night to induce them to consent to the boundary proposed by congress in the act of 1846. The utmost difficulty had been experienced in holding back his friends who were insisting upon the rights of the state. They had planted themselves upon the ordinance of 1787. They came not as a people suing at the foot of a throne for self-government. If they came into the union at all it would be upon terms of equality with the other states. It was vain for gentlemen to try to bring them in upon any other terms. As to the two northerly lines the house might take its choice. The people of Wisconsin favored the Rum river as their boundary, but if the St. Croix was fixed upon as the boundary they were ready to acquiesce. He added that he had been instructed to favor the more northerly boundary, and he believed it would carry in the house.

Mr. Tweedy took up the points raised by Judge Collamer. He did not pretend to say whether congress had established the doctrine of the inviolability of precedent or not. He had heard of no such decision. But he did know that if there was a case that could claim the repeal of such a decision, both on the grounds of justice and liberality, this was that case. He called attention to the fact that on the very same day that congress had granted these alternate sections of land to Wisconsin for canal improvements, the body had granted to Iowa a strip of land in alternate sections on each side of the Des Moines river, four hundred miles in length, for a work lying wholly within the limits of a state, and which was in no sense national.

Congress had not given Wisconsin a cent, was the next point raised by Mr. Tweedy, and the lands which had been given were clogged with a condition from which Iowa was free. If Wisconsin had enjoyed a 5 per cent. rebate on lands sold, her population had long been sufficient to insure admission, and she would have received far more from land sales than had been paid to her territorial government. The delegate discussed the grants of lands to states in aid of canals. It was the duty of congress to grant alternate sections to aid such improvements. This rule applied to railroads or canals passing through a part of the public domain. When such canal or road passed through a region partly settled, the reservation of alternate sections operated as a robbery of the settlers in compelling them to pay double for the lands which they had already improved. The effect was to keep off every immigrant for ten miles around the proposed course of the canal. They were afraid to make improvements for fear that when the alternate sections came to be reserved their houses would fall within the sections reserved by the government and they would be compelled to pay double the price that had been paid by their neighbors. That was the situation in Wisconsin. The people were waiting and on that account a part of the country remained unsettled.

This was a strong point made by the Wisconsin delegate, and it had a good effect upon the house, as was demonstrated by the results when the time came for voting on the amendments. Whatever desire there might have been among the members from the older states to econo-

mize in the matter of public lands, and whatever the disposition of the leading men of the time with respect to the policy of government encouragement of internal improvements, they evinced a sincere desire to see the West populated, and that every encouragement should be given to immigration as a means of settling the wilderness of the West.

A Good Word From Illinois.

When the Wisconsin delegate resumed his seat a friend of Wisconsin admission appeared in the person of an Illinois representative, John A. McClernand. He hit the proposition made by his colleague, the obstreperous Smith, a hard blow. He did not agree with Smith that the Wisconsin boundary at the Northwest section should be moved further eastward. Mr. McClernand said he was in favor of the St. Croix river boundary. That line had been fixed by congress and accepted by the people of the state. The attention of the public had been called to that boundary and the people were prepared to receive it as the settled line. The faith of congress was pledged to it. He should, therefore, vote against the Rum river, or extreme western boundary proposed, which had been recommended alternately by the people of Wisconsin, and also against the amendment proposed by his colleague, Mr. Smith. Mr. McClernand discussed fully the relations of the new states to the government and questions of internal improvements and land grants.

Caleb B. Smith of Indiana, chairman of the Territories committee, here took the floor and spoke in a general way against the amendment of Illinois Smith. He said he had no objection to the various propositions pending for changing the boundaries of the state, and he would be willing to assent to the change suggested by Delegate Tweedy. The committee had recommended the St. Croix boundary in preference to that at Rum river, but as far as he was concerned he could see no reason for the change, and was willing that Wisconsin should have the larger area if it was wanted. Mr. Smth advocated granting the land in aid of canal improvement.

It became apparent to the Illinois Smith that he had suggested an unpopular scheme, and he offered an amendment materially changing his proposition, and making it conform nore nearly to that suggested by the committee. Then Mr. Tweedy put in his bid for the larger slice of the territory which later became a part of Minnesota. He offered it in the following form:

"The change of boundary proposed in the second article of the said convention, to-wit: leaving the boundary line as prescribed in the act of congress entitled, etc., (the enabling act) from the foot of the St. Louis Rapids, thence in a direct line bearing southwesterly to the mouth of the Ikodewaba or Rum river where the same empties into the Mississippi river, thence down the main line of said river as prescribed in that act."

Mr. Tweedy said this amendment was offered as a substitute for that offered by the committee, and was intended to fix the Rum river as the northwestern boundary instead of the St. Croix. He said it had been recommended by the Wisconsin convention after mature deliberation and therefore he was bound to advocate it. The reason the people of Wisconsin desired this line, Mr. Tweedy frankly avowed, was because they desired the additional territory, and because they believed it would be more convenient and more judicious to bring all the people residing in the St. Croix valley within the state. Another reason was the advantages which were to be derived from steamboat navigation on those upper rivers.

The Delegate's Plan Defeated.

The house could not see it in that way. They rejected Mr. Tweedy's amendment. He had counted on being able to carry it through, but on the test vote it was beaten by such a vociferous outburst of "noes," that the Wisconsin delegate did not have the hardihood to ask a division of the house to make a record on the question. Posisbly he had visions of being able to fix the matter in the senate. Thus the possibility that within Wisconsin there should be built the magnificent cities of St. Paul and Minneapolis was defeated by cutting off that section of the new state and leaving it to become a part of Minnesota. It will be understood from these notes of the debate what a narrow escape Wisconsin had from being the greatest state in all respects in the broad region of the Northwest. This certainly would have been the result had not Illinois, thirty years before the Wisconsin admission proposition was pending, scooped in the splendid strip of territory skirting the borders of the lower part of Lake Michigan and embracing the present site of Chicago.

The debate was now practically ended, and the committee proceeded to vote on the amendment. At the suggestion of Mr. Collamer some changes were made in the section relating to the lands granted to the state in aid of the Fox and Wisconsin improvement. A suggestion by Mr. Tweedy relating to the lands to be given to the Rock river canal improvement was also agreed to. The committee amendments relating to the boundary, modified in an unimportant manner by the last changes suggested by Mr. Smith of Illinois, were adopted.

Then came up Mr. Rockwell's amendment relating to a more liberal grant of lands to the state in the aid of education. Mr. Vinton of Ohio objected strenuously to this scheme. He wanted to know why this liberality should be exercised in respect to Wisconsin and denied to Illinois, Indiana, Ohio and the other states. It was a grave question and should not be acted upon without a report from a committee. The amendment was ruled out, and thus the school lands of the state were confined to the sixteenth section of each township. After agreeing to two or three sections of the bill the house at a late hour adjourned without completing action upon the admission bill.

On Thursday, May 11, the admission bill was taken up for final consideration. Hap-

pily the members had talked themselves out on the previous day, so the measure went through without further debate. Immediately after the journal was read Speaker Winthrop announced that the next business was the Wisconsin Admission bill. A number of minor amendments of the Territories committee were agreed to, and also one touching the phraseology of the bill offered by Mr. Tweedy. The bill was then ordered to a third reading, read the third time and passed.

A Speech by Abraham Lincoln.

Delegate Tweedy must have been somewhat surprised at this juncture to observe the tall form of Abraham Lincoln unfolding itself, and when the more than six feet of the gaunt Illinoisan was erect, to hear from Lincoln a motion to reconsider the bill. Unless Mr. Tweedy had a perfect understanding with his Whig friend, Lincoln, he must have thought of another flank movement against the bill from Illinois. Mr. Lincoln was not long in making his purpose known. He said he had made the motion to reconsider in order to give an opportunity for him to say a few words upon some questions that had been brought out in the course of the debate by Judge Collamer. Mr. Lincoln called attention to some remarks that had been made by Mr. Collamer, whose suggestions respecting public lands were entitled to great weight, he being chairman of the Committee on Public Lands, in respect to the reserved sections in grants in aid of public improvements in Wisconsin and elsewhere being enhanced in value, and should be reduced to the minimum price of the public lands. The question of the reduction in value, Mr. Lincoln said, was a matter of indifference to him. He was inclined to think that Wisconsin would be pleased to have the price so reduced. He would not make a special argument in favor of Wisconsin, but he believed in the general policy of giving the alternate sections of land and enhancing the reserved sections. He cited an instance in Illinois where this policy had worked to advantage.

Mr. Lincoln indicated pretty plainly that he favored the internal improvement projects and the grants of land in aid of such enterprises. He attacked some of the statements made by Judge Collamer and asserted that they were unsound. He spoke of the Vermont statesman's remark that the government was interested in the internal improvements as they increased the value of the land unsold, and would also enable the government to sell lands which otherwise would remain unsold. Although this policy gave a gain to the country in the way of the internal improvements, as well as in land sales, and thus the people derived substantial good therefrom, it might be that the lands should not be sold for more than $1.25, instead of $2.50 an acre. Mr. Lincoln said, however, that he had merely mentioned this point in passing, and that he had risen simply to state that the policy of giving these lands for the purposes indicated had been favorably considered. There were some gentlemen who had constitutional scruples against voting money for these purposes, but would not hesitate to vote land. He wanted to say that he was not one who made war against that policy. Having made this statement, which was tinged with irony directed at those who weighed their constitutional scruples so finely that they could agree to vote away the public domain in aid of internal improvements, but would not agree to vote funds from the treasury for that purpose, Mr. Lincoln withdrew his motion to reconsider the vote by which the admission bill was passed, and the bill went to the senate for final action.

Admission Bill Becomes a Law.

The senate devoted no time to debating the Admission bill. On Friday, May 12, a message was sent to that body from the house that the latter branch had passed the bill for the admission of Wisconsin. Senator Stephen A. Douglas, chairman of the Committee on Territories, arose and moved that the bill be committed to that committee for consideration. The Committee on Territories was composed of the following senators:

Stephen A. Douglas of Illinois, chairman.
Jesse D. Bright of Indiana.
J. M. Clayton of Delaware.
A. P. Butler of South Carolina.
John Davis of Massachusetts.

No time was lost in securing action in the committee. Four days later, on Tuesday, May 16, Senator Douglas reported the bill without amendment and recommended its passage. On Friday, May 19, Jesse D. Bright, a senator from Indiana, and also a member of the Committee on Territories, called up the measure in the senate. It was ordered to a third reading, read the third time and passed without debate, amendment or division. Some delay was caused by inaction of the Committee on Engrossed Bills, and failure to secure the signatures of the speaker and the vice-president to the measure, but on May 29 the Admission bill was sent to President Polk, who promptly affixed his signature to it, and Wisconsin was a state of the American Union. The notification that the president had signed the bill was made in both houses of congress on May 30 by the president's secretary, Mr. J. Knox Walker.

The services of Delegate John H. Tweedy in congress were at an end. He had the honor to secure the passage of the Admission bill, after a long and spirited debate over the question. He now retired, and the senators and representatives chosen by the new state made their appearance within a few days and took their seats in congress.

Synopsis of the Admission Act.

Whereas, the people of the territory of Wisconsin did on the 10th of February, 1848, by convention of delegates, call and assembled for the purpose of forming for themselves a constitution and state government, which said constitution is ratified; and said convention having asked the admission of said territory into the Union as a state upon an equal footing with the original states.

Be it enacted by the senate and house of representatives in congress assembled:

That the state of Wisconsin be and is hereby admitted to be one of the United States of

America, is hereby admitted into the Union on an equal footing with the original states in all respects whatever with the boundaries prescribed by the act of congress approved Aug. 6, 1846, entitled an act to enable the people of Wisconsin territory to form a constitution and state government and for the admission of such state into the Union.

Section 2 gave the assent of congress, the first, second, fourth and fifth resolutions adopted by the Constitutional convention and the acts of congress ratified in the resolution were amended so that the lands granted by the provisions of the several acts ratified shall be held by the state and disposed of in a manner and for the purposes recommended by the convention. Also that the lands reserved to the United States by the act to grant a quantity of land in aid of the Fox and Wisconsin river improvements and for the canal between Lake Michigan and Rock river shall be offered for sale at the same minimum price subject to the same rates for preëmption as other public lands of the United States. It was also provided for certain preëmption rights with reference to these lands.

Section third relates to the purchase of lands at the price of $2.50 and $1.25 under conditions prescribed. Section fourth provided that the judge of the District court shall hold a term of court at Madison on the first Monday of December and another term in Milwaukee on the first Monday in January. Provisions were also made for special terms of court to hear and decide cases of admiralty and maritime jurisdiction. The fifth section provided for transmission by the clerks of the District court records of unsatisfied judgments. The sixth section provided that the clerk of the Supreme court of the territory of Wisconsin shall deliver over to the court of the United States District courts all records and papers relating to bankruptcy under the Bankrupt law. The last section of the act provided that from and after the 4th day of March, 1848, and until another census and apportionment shall be made, the state of Wisconsin shall be entitled to three representatives in the congress of the United States.

IV.

Appearance of Senators Dodge and Walker in the Senate, and Representatives Lynde and Darling in the House in the Closing Part of the First Session of the Thirtieth Congress — The Historic Senate Chamber in Which the First Wisconsin Senators Sat—Political Issues and Leaders of the Time. Senator Walker and the Slavery Issue — Gen. Dodge's Connection With the Exciting Personal Encounter Between Senators Benton and Foote — Mr. Lynde's First Speech—Mr. Darling and the Joke on Horace Greeley—Notes on the First Wisconsin Congressional Delegation.

There was a state without kings or nobles; * * there was a people governed by grave magistrates which it had selected and by equal laws which it had framed.—Rufus Choate.

Senators and representatives from the new state of Wisconsin appeared in congress in May and June, 1848. They were assigned seats and places on committees. They participated in the legislation of the latter part of the first session, and in the second session of the Thirtieth congress, which ended March 3, 1849.

Wisconsin was now one of the states of the federal Union. Her people were prompt in sending their senators and representatives to congress. Under the provisions of the enabling act elections had been held in the territory during the spring of 1848. Before the admission bill passed congress, at an election held May 8, representatives in congress had been chosen. The First district sent William Pitt Lynde of Milwaukee, and the Second district sent Mason C. Darling of Fond du Lac. The election of senators by the legislature followed on June 8, and the first congressional delegation from the new state was ready to take places in the halls of national legislation.

Political Issues in 1848.

From this time Wisconsin took a prominent part in the determination of public questions in which the entire country was interested. The people of the state early gave evidence that they had drunk deep at the fountain of liberty, which had been established in the territory under the Ordinance of 1787. They were earnest and uncompromising advocates of the equality of all men before the law, and of the fullest civil and religious liberty. A people entertaining such sentiments must have been restless under the already rapidly growing power of the slave-holding aristocracy of the South. Evidence of this uneasiness is furnished in the resolutions which were passed by the legislature of the state in the earliest period of the new relations to the general government. Resolutions against the extension of slavery, and for the fullest freedom for the proposed territorial governments in other sections of the country, were frequently sent to the Wisconsin senators and representatives for their guidance in representing the people of the state in a legislative capacity. These expressions of the state constituted a note of warning, little heeded, however, to the Southern leaders in congress, that slavery was doomed to destruction. In resolutions of this character from Wisconsin and other states, together with the speeches and votes in congress from the date of the admission of Wisconsin down to the Civil war, are to be found many side-lights upon the political history of those momentous times, and a correct reflex of the sentiments which actuated the people of the state in the early part of the great slavery contest. Resolutions from the legislatures of the Southern states, presented in congress by senators and representatives from that section, afforded an equally correct reflex of the popular opinion in the South that slavery must not be interfered with, and must be permitted to enter into all new territory, or a break between the sections of the country would result. The extension of slavery into the territories was the chief topic under discussion during the first congress in which a delegation from Wisconsin served. For reasons already explained in connection with the account of the Ordinance of 1787, this subject did

not come forward to vex the people of Wisconsin when they applied to congress for admission. Following the question of slavery in the territories, came that of the Fugitive Slave law. In this act the doctrine was asserted that owners of slaves who fled from their homes had the constitutional right to pursue slaves even into free territory, and to reclaim and convey such slaves to the homes of the masters. This question touched the liberty-loving people of the Northwest on a tender spot. They had no desire to see their fair land poluted by the foot of the slave catcher. But, according to a section of the old ordinance, such right of capture of runaway slaves in the Northwest territory had been granted by congress. The people of the Northwest states, or many of them, rebelled against such an idea as abhorrent to liberty and Christianity. These people had broken from the fetters of the old ordinance and had created free states, with constitutional forms of government guaranteeing freedom and the stability of republican institutions. In the light of their history it is not surprising that the Northwestern people rebelled against the doctrine of slavery.

Wisconsin Representatives Arrive.

The representatives from Wisconsin, having been first elected, were first to appear in Washington. Mr. Lynde arrived on Monday, June 5, presented himself at the bar of the house and was sworn in. He was assigned to seat No. 220, on the Democratic side near the central aisle. Near his seat sat the distinguished Pennsylvanian, David Wilmot, whose memorable "proviso," had so conspicuous a part in the history of the time. On Friday, June 9, Mr. Darling arrived, was sworn in as a member of the house and was assigned to seat No. 229. This seat was in the row back of that in which Mr. Lynde sat, and just across the aisle from Mr. Darling sat Abraham Lincoln, the only Whig representative in that house from Illinois. Among the Democratic leaders in the house who occupied seats near Lynde and Darling were Howell Cobb, who became speaker of the house in the next congress, and Jacob Thompson of Mississippi. The Wisconsin members were soon assigned to service on committees of the house, Mr. Lynde going on the Committee on Revolutionary Claims, and Mr. Darling on Private Land Claims. It is interesting to note the fact that of the nearly twenty members of the two committees in that congress only one name has survived in history, to be recognized by the average student of American political literature. That single exception is Andrew Johnson, who was a member of the Committee on Private Land Claims with Mr. Darling. Messrs. Lynde and Darling were classed as good lawyers and men of high standing in their home communities, but they were not active participants in the debates or legislation pending before congress during the few weeks that remained of the session. They introduced a number of bills and resolutions in which their Wisconsin constituents were interested, but spent their time familiarizing themselves with their new surroundings and duties.

The measures of a local character offered by the Wisconsin members related mainly to questions affecting the public lands and internal improvements in the state. River and harbor projects were claiming the attention of Wisconsin people and they sent a number of petitions asking congress to appropriate money to improve harbors on Lake Michigan and to provide harbor lights and otherwise better the facilities for transportation and commerce on the lakes. As evidence that they were also noting with interest matters pending in congress of a general character, it is observed that Mr. Lynde presented a petition from citizens of the state asking congress to purchase Mount Vernon, the home of George Washington. Like petitions of the present day, the one presented by Mr. Lynde appears not to have been very effective. One may imagine that it was speedily lost in some dust-covered pigeon-hole of a congressional committee room. At all events congress has not purchased Mount Vernon up to this time, and the petition has had fifty years in which to accomplish the mission upon which it was sent by the petitioners.

Resolutions From the State.

Wisconsin people also took a deep interest in the graver public questions of the time. Very soon after taking his seat Mr. Darling presented in the house a resolution of the legislature of Wisconsin against the extension of slavery into the territories, and asking that in the organic act of any new territory to be created slavery be prohibited. The legislature started in bright and early to keep a close watch of the actions of the state's representatives and senators, and it was not long before the attitude of Senator Walker on the slavery question called from the legislature a protesting resolution. About three weeks later Representative Darling received and offered in the house another document of similar import. This was a resolution which had been adopted by the legislature.

"Instructing their senators and requesting their representatives to use their efforts for the prohibition of slavery in any new territory already acquired, or hereafter acquired, in which slavery does not now exist except for crime."

It will be observed that the law-making body of the new state in framing the resolution, considered with nicety and care the point that has been raised respecting the representative functions of senators and members of the popular branch of congress. It appears already to have reached the lawmakers of Wisconsin, what was pointed out in the early debates on the constitutional functions of the legislative branch of congress, that the senators are delegated from the state, that they represent the sovereign power of the commonwealth, and as such delegates, may be instructed by the legislatures; whereas, on the other hand, the representatives are sent direct by the people, and are answerable only to the people of their respective districts. It will

be recalled, however, that in several instances before and since Wisconsin had senators in congress, and twice in the cases of Wisconsin senators, Walker and Doolittle, have senators declined to obey the requests of legislatures of their states that they resign. In some of these instances senators have declined to heed expressions of severe censure passed by the legislatures of their respective states.

Mr. Lincoln in the Thirtieth Congress.

It is often remarked that a member should be seen and not heard during his first term of service in the house. This alleged rule is brought into service for the purpose of protecting from criticism many representatives during their first terms when, possibly, if the truth were plainly told, it frequently happens they do not, even in three or four terms, take a front rank in debates or in influence upon legislation.

It has been often charged that Abraham Lincoln did not make a striking success during his single term in the house in the Thirtieth congress. It is doubtful that Messrs. Lynde and Darling had that opinion of the Illinois man. A glance over his record as disclosed by the annals of congress, will impress the impartial observer that Mr. Lincoln gave evidences of possessing elements of strength and ability of a high order, even at that early period in his wonderful career. This is true although he was then comparatively a young man and certainly a novice in the field of constructive statesmanship. Mr. Lincoln was not silent during his first and only term in congress. He participated in a number of important debates. His utterances at that early time in his life would not rank well with the great speeches and state papers which he gave to the country ten years later, and through the Civil war period. But he was far from being a disinterested observer of the momentous events and scenes around him. He made at least three speeches worthy of note during the first session of his term. He was a member of the Committee on Postoffices. His first speech was a lengthy discussion of the subject of mail transportation by rail and otherwise, especially by rail, which form of transportation was then coming into general use. In that speech Mr. Lincoln exhibited a wide knowledge of public affairs, and a fund of valuable information as to the conditions of trade and transportation throughout the country. When the message of President Polk was presented to congress early in the session, giving an account of the progress of the existing war with Mexico, Mr. Lincoln discussed, in a general speech on the message, the conduct of the war. He spoke with discrimination and elaborateness on the issues involved in the contest as well as those which had led up to it. Mr. Lincoln also spoke upon the Wisconsin Admission bill and the general question of internal improvements aided by public land grants or by direct appropriations from the treasury. Certainly that was not a discreditable record for a new member. Reminiscences have come down to us of the stories told by Lincoln enlivening the cloak rooms and old house postoffice adjoining the hall of representatives. Those who are familiar with the historic points of interest around the capitol are ready to point out the fire place, in the present document room which was the postoffice of the house a half century ago, beside which Lincoln sat while capturing his colleagues with his quaint humor and droll anecdotes. Running through the reports of his speeches are to be found evidences of his power and tact in driving home a point by the force of his irresistible humor. But Lincoln as a representative in congress was forgotten in the glory which surrounds his name as the emancipator and martyr president. The success of Lincoln in the broader fields of statemanship obscured what would have stood as a creditable service as a legislator, and would have given him a high rank had he chosen to return to congress after 1848.

Stephen A. Douglas was near the zenith of his fame at this period. He was a powerful man in the house during the great debates over important public questions in the Twenty-ninth congress, and it was not surprising that Illinois sent him to the senate in the Thirtieth congress. The senate recognized the rank which Mr. Douglas had acquired in public life, by making him chairman of the then very important Committee on Territories. That committee had charge of the debates, which ran through a large part of three congresses, relating to the question of extending slavery into the new territories.

Mr. Lynde's First Speech.

It was not until the second session that Representative Lynde made his first speech in the house. On Jan. 18, 1849, the house had under consideration an appropriation bill. Mr. Mullin, a representative from New York proposed an amendment for paying the expenses of the "territorial government of Wisconsin." This must have sounded to some persons at the time as a joke. Indeed, the house treated it with some exhibitions of hilarity. What was Wisconsin territory? Wisconsin had been changed from a territory to be a state. Yet here was a proposition to pay $10,500 a year for support of the territorial government of Wisconsin. It was disclosed in the debate that when Wisconsin came in as a state there was left a large part of the former territory by that name lying west of the St. Croix river. This section of country was left without a government after the state was created. There was considerable debate over the anomalous situation thus presented. Mr. Lynde did not consider the matter a joke. He made a speech in which he explained the situation, giving a history of the creation of Wisconsin territory and the admission of the state. He maintained that the territory of Wisconsin was not invalidated by the admission act. He said that in the previous session he and his colleague, and the senators from Wisconsin, had addressed a letter to the secretary of the interior in regard to the remaining part of the territory.

He recognized the existence of the remainder of the territory and could see no reason why it should not be provided with a government. The amendment was rejected. It was plain that congress could not be coaxed into having a Wisconsin territory in addition to a Wisconsin state. The difficulty was arranged later in the session by the passage of an act creating the territory of Minnesota, which took in the section of old Wisconsin territory that had been left out in the cold when Wisconsin was admitted.

Darling and the Joke on Horace Greeley.

Mr. Darling was modest also. He refrained from speaking on the floor until late in the second session. Then he made a short speech, on an unimportant subject, but an amusing one, an incident in the early public career of Horace Greeley. The great journalist had been elected to the house from New York city for the second session of the Thirtieth congress, to fill a vacancy caused by the death of the member originally chosen. Soon after Greeley's appearance in the house a measure was brought up which had some elements of the "salary grab" of later days. It provided for the purchase out of the public funds of a number of historical books which were to be given to senators and representatives. It appears that Mr. Greeley was opposed to this grab game, but his opposition was not known until after the house had passed the bill. The editor-representative was engaged in sending editorials and correspondence to his New York Tribune from Washington. He took occasion in his correspondence to criticise very sharply the action of the house in passing the book grab. When The Tribune containing the article arrived in Washington a few days later, a member who appears to have kept watch of Mr. Greeley's attitude toward the measure, addressed the house and had the article read from the clerk's desk. He named four members who had heard Mr. Greeley speak approvingly of the action of the house in voting for the books, and justifying the expenditure. The member also stated that on some of the rising votes taken on the question Mr. Greeley had supported motions for carrying out the book purchase scheme. Among those mentioned as cognizant of Mr. Greeley's friendly attitude toward the bill before its passage was Mr. Darling of Wisconsin. Three of the members mentioned by name were called upon and explained what they heard Greeley say on the subject while the bill was pending. Then from all parts of the house there were loud cries of:

"Darling, Darling, let us hear Darling."

Mr. Darling arose and in a short speech stated that he had overheard remarks by Mr. Greeley to members indicating that the editor-member favored the book purchase. Mr. Darling's speech was of a humorous character and the house enjoyed it, especially as Mr. Greeley gave evidence of being much annoyed and chagrined by the predicament in which he was placed. The incident made it hotter for him for a few moments than one of Tom Nast's cartoons did thirty years later. He explained in a satisfactory manner what he had said in the hearing of the members, but his explanation of his votes on the bill at different stages was not so satisfactory. It would be better understood by those of to-day who have a recollection of the great editor, his childish ways and his abstracted moods. He presumed he had been busy at his desk, and supposed he was following the leadership of the chairman of the committee in the rising votes, believing that the chairman was opposed to the bill. The house laughed at Mr. Greeley's explanation and the incident was closed.

First Wisconsin Senators Seated.

The Wisconsin senators, Henry Dodge and Isaac P. Walker, arrived in Washington soon after their election by the legislature in June, 1848. Senator Dodge entered the senate on June 23. The day before he had been nominated for vice-president by the Free Soil Democratic convention held in Utica, New York, with Martin Van Buren as the head of the ticket. The nomination must have been made while Senator Dodge was on his way, by the slow means of conveyance then in use, from Wisconsin to the capital. In these days a man with a senatorship in his hand and the vice-presidency in the bush, would be a curiosity around the capitol, and he would be looked up to as one of the lions of the hour. It is evident that Gen. Dodge regarded the vice-presidency as much too remotely in the bush, for he declined it, and Charles Francis Adams was nominated. The result of the election justified the action on Dodge's part. The votes for the Van Buren ticket were counted in the "scattering" column.

The credentials of Gen. Dodge were presented by Senator Benton of Missouri, his friend of many years' standing. Their close relations continued in congress and resulted in an interesting participation by Dodge in the exciting personal encounter between Benton and Foote of Mississippi. "Old Bullion" Benton took the arm of Dodge when the latter stood up before the presiding officer of the senate and took the oath of office. On June 26 Senator Dodge performed a like service for his colleague, Mr. Walker. Under the rule which prevails in the senate of deciding by lot the length of the respective terms of senators from new states, a lot was cast to determine into which class the senators from Wisconsin should fall. Dodge being an old Indian fighter probably outgeneraled his colleague, for he drew the long term, to expire March 3, 1851, while Mr. Walker's term was fixed to close on March 2, 1849.

In the Old Senate Chamber.

It must have been an interesting experience for Messrs. Dodge and Walker to take seats in the senate, the first senators from Wisconsin. They were in a sacred presence. The senate chamber was then the comparatively small room now occupied by the United States Supreme court.

in the old north wing of the capitol. What scenes and incidents have been witnessed in that room. We of modern times think of it as the place where the great Electoral commission met in 1877, after the Hayes-Tilden election contest. Fifty years ago it was doubtless thought of as the place where the greatest debate of American political history was held, the trial of the oratorical giants of the North and the South, Webster and Hayne. That took place in 1830, when the "Great Expounder" was in the strength and vigor of his young manhood. He was still in the senate in 1848, although eighteen years had elapsed since he made the speech which electrified the continent and fixed his name secure in history as the greatest orator of America, if not of the age. In this chamber Jefferson had taken the oath and delivered his speech to congress as the third president of the republic. In this chamber was ratified the treaty which gave to the country the Louisiana purchase, and brought a vast domain to the republic. Here was received the message of James Monroe, declaring the "Monroe doctrine." These events were recent memories in the old senate chamber when Wisconsin's first senators appeared in that body. They remained long enough in the senate witness other events which have left in the associations of the old senate chamber hallowed memories. They heard in 1850 the second farewell address of Henry Clay. They heard John C. Calhoun bid farewell to the senate in 1850, and in the same year witnessed the funeral of that greatest leader the South ever had. They heard the "Compromise" speech of Daniel Webster on that memorable July 17, 1850, when the mighty man retired from the senate to take the state portfolio in the cabinet of Millard Fillmore. From the attitude Senator Walker had occupied on the territorial questions of that day, it is suspected that he, at least, did not appreciate, as did the great body of the American people, what a loss that speech caused Webster in the affections of the liberty-loving people of the North.

Leaders in the Senate in 1848.

The Wisconsin senators found themselves among the greatest men in the political arenas of the country. In the assignment of seats, No. 51 fell to Mr. Dodge, and No. 52 to Mr. Walker. These seats were on the front row of the stuffy little senate chamber. It appears to have been the custom in that time to give new senators the front seats. Nowadays they get back seats. In the old chamber, doubtless, the front seats were less desirable. The seats taken by Messrs. Dodge and Walker would correspond to those occupied by Senators Vest and Cockrell of Missouri in the present senate. Two seats back from Dodge, and on the aisle, sat Benton, and to the right of Benton sat Jefferson Davis. Back of Mr. Walker sat John C. Calhoun, then closing a long and brilliant career. Across the aisle sat Webster, and three seats from him sat Hannibal Hamlin. John A. Dix of New York, the brilliant Tom Corwin of Kentucky and Douglas of Illinois, were among the leaders in the senate.

In the committee assignments Senator Dodge was given places on the Committees on Militia and Penslons, and Senator Walker became chairman of the Committee to Control and Audit the Contingent Expenses of the Senate. Together with Senators Breese of Illinois and Borland of Arkansas Gen. Dodge took up his residence at Willards, while Mr. Walker resided at Brown's hotel on the avenue where also resided Senators Sam Houston and T. J. Rusk of Texas.

Early Wisconsin Bills.

The first session of the Thirtieth congress adjourned on Aug. 14, about sixty days after the Wisconsin senators entered the senate. There was little time for them to become familiar with their new duties, and they took little part in the proceedings until the session of the following winter. They introduced a number of local bills and resolutions, the latter being of similar import to those introduced by the Wisconsin members. On July 18 Mr. Walker introduced a bill to amend the seventh section of the enabling act, under which Wisconsin was prepared for admission, making some changes in the disposition of the public lands under the act. Mr. Walker went after this legislation with considerable vigor. The bill was promptly reported and passed the senate on July 29. Mr. Walker also introduced a bill granting to Wisconsin the site of the old military reservation at Fort Winnebago. As an indication of the political sentiment in the state at the time, and the course adopted to give expression to that sentiment, Mr. Walker offered, on July 31, a resolution of the Wisconsin legislature laudatory of the Polk administration. Senator Dodge introduced only one bill, a private measure for the relief of John P. B. Gratiot.

Four days before the adjournment of the first session Mr. Walker participated in a debate of considerable importance on the Oregon territorial question. The debate was conducted by Webster, Douglas, Calhoun, Foote and Jefferson Davis. Mr. Walker's speech was a short one, but it was vigorous and patriotic.

The event of most consequence in which the Wisconsin senators participated during the first session was voting on the question of extending the terms of the "Missouri compromise" through to the Pacific coast. This came up on the Oregon Territorial bill, and the vote was taken two days before adjournment. Messrs. Dodge and Walker voted for the extension and it passed the senate in spite of the bitter protests of the Southern senators. The purpose of this compromise policy was to exclude slavery north of a given line of latitude extending to the Pacific.

Senator Walker and Slavery.

In the short session of the Thirtieth congress little business was transacted of direct interest to the people of Wisconsin. A River and Harbor bill was passed by the Whig house, but it failed to go through

the senate, notwithstanding the brilliant Henry Clay made the greatest fight of his life as a legislator in the interests of the bill. The house also passed a bill for territorial governments in California and New Mexico, with the "Wilmot proviso" attached, prohibiting slavery in the territories. The senate rejected the proposition and the contest in both houses was very bitter. On most of the votes taken on these questions, in their various stages of progress, the Wisconsin senators voted in opposition to the wishes of their Democratic colleagues from the Southern states, but some votes cast by Senator Walker gave evidence of a disposition on his part to compromise disputed questions by making liberal concessions to the slavery advocates. This was particularly noticeable in connection with the debate which followed the offering of an amendment by Mr. Walker to an Appropriation bill at this session. The purport of the scheme was "to extend the constitution and laws of the United States over the territories." This provoked a spirited debate, and Mr. Walker soon discovered that he was out in very deep water. So plain was this that on Feb. 24, he offered to withdraw the amendment, but it was so popular with the Southern senators that he was notified by Senator Mason of Virginia, that if the amendment were withdrawn he would renew it, that the senate must vote on the question. The object of the Southern senators was to force a vote for the moral effect there would be in a delcaration by the senate that the constitution was binding law in the acquired territory of the country. They maintained that the new territory was a part of the United States; that the constitution upheld slavery and that if the constitution was recognized as binding upon the territories slavery could not be excluded therefrom. On the day Mr. Walker offered to withdraw his amendment Senator William L. Dayton, a Whig of New Jersey, made a vigorous speech against the amendment. He opposed it because it would give the South an advantage in the slavery controversy. The Southern people claimed that the constitution gave their people the right to carry slaves into the territories and make it a slave country. Dayton denounced such a proposition.

Mr. Walker made an extended speech, the purport of which may be gleaned from the following brief extract:

"But, sir, I say before this senate and before high heaven, that I feel myself incapable of entertaining such feelings as are expressed by the senator from New Jersey. If the constitution will extend slavery to the new land, let it go. If by that constitution slavery is extended, I am willing to stand by that constitution. I am unwilling to withdraw from our Southern brethren any of the rights given to them by that sacred instrument."

It was such sentiments, and Mr. Walker's vote on this and kindred questions, that impelled the legislature of Wisconsin to pass a resolution directing him to resign. He did not obey the injunction.

Mr. Webster Speaks.

The position taken by the Whigs and anti-slavery men was, of course, squarely against the amendment. Mr. Webster attacked it on constitutional grounds. He followed Mr. Walker with a speech in which he said, among other things:

"It is important that we have clear ideas and correct notions of the questions which this amendment of the senator from Wisconsin has presented to us. What is meant by the proposition of law to extend the constitution of the United States to the territories? Why, sir, the thing is utterly impossible. All the legislation in the world in this general form could not accomplish it." Mr. Webster maintained that a territory, while yet in a territorial state, is not a part of the United States. Senator Calhoun interrupted to say, "They belong to the United States." Webster retorted, "That is another thing."

This suffices to show the sentiments of the senators from the two sections on Walker's proposition. Senator Dodge refused to vote for the amendment of his colleague, but it went through the Democratic senate by a vote of 29 to 27, and was subsequently lost in conference.

Dodge in the Benton-Foote Incident.

This debate on slavery extension was but a prelude to the exciting controversies which arose in the next congress. Feeling ran high. The Fugitive Slave bill was under discussion, and other questions nearly or remotely related to the subject of slavery. On April 13, 1850, occurred the personal encounter between Senators Benton and Foote. During the heat of the debate on sectional questions the Mississippi senator indulged in remarks of a personal character against Benton, and the latter strode down the aisle toward Foote in a threatening manner. Foote backed away, at the same time drawing a pistol. The senate was in an uproar and bloodshed was imminent. Senator Dodge, the friend of Benton, was quickly at the side of the Missouri senator, grasped him and pushed him back into his seat. Senators crowded around Foote and he was disarmed. Benton was greatly excited, loudly calling upon Dodge, "Let me go. Let the assassin shoot." The excitement was quelled and strong speeches were made on both sides of the chamber deprecating the disgraceful affair. Senator Dodge made a high-toned and temperate speech denouncing the occurrence and demanding the appointment of a committee to investigate it and make proper report to the senate. The motion was carried. When the vice-president appointed Gen. Dodge as chairman of the committee, the Wisconsin senator arose and said that his personal relations and friendship for one of the participants would make it improper for him to serve. Senator Foote said that it was well known that the Wisconsin senator meant Benton as his personal friend, but, so far as he (Foote) was concerned, he would be pleased to have Senator Dodge serve. Dodge peremptorily declined, however, and another was appointed. The report of the committee made on July 30 made no recom-

mendations, but was in the nature of a rebuke of the participants in the unfortunate affair.

The Wisconsin congressional delegation was well established at the seat of government during the second session of the Thirtieth congress. In the elections of 1848 the Whig tickets were generally successful throughout the country. The hero of Buena Vista was chosen president. Messrs. Lynde and Darling retired from the house, the former to return again twenty-seven years later. Wisconsin sent as her next representatives Charles Durkee, Orsamus Cole and former territorial governor, James Duane Doty, the apportionment having given the state an additional representative. Messrs. Dodge and Walker were reëlected and served until 1857 and 1855 respectively.

From 1848 down through the half century of Wisconsin's career as a state, the congressional delegation steadily increased in members, keeping pace with the increase in the population of the commonwealth. In the house and senate the state has been represented by men who have upheld through these years the honor and dignity of Wisconsin. Many there are in the long line of legislators from the state in the years from 1848 to 1898 who might have said, when their terms ended:

"I have done the state some service, and they know't."

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